

REMARKS

Claims 13-23 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 13-15 and 20, drawn to a salt of (1R, 2R, 3S, 5S)-2-methoxymethyl-3-(3,4-dichlorophenyl)-8-azabicyclo[3.2.1]octane L-tartrate monohydrate;

Group II, claims 13-14, drawn to a salt of an anhydrous form of (1R, 2R, 3S, 5S)-2-methoxymethyl-3-(3,4-dichlorophenyl)-8-azabicyclo[3.2.1]octane L-tartrate; and

Group III, claims 13-14, 17 and 20, drawn to a salt of the polymorphic form (form II) of (1R, 2R, 3S, 5S)-2-methoxymethyl-3-(3,4-dichlorophenyl)-8-azabicyclo[3.2.1] octane L-tartrate anydrate, and

Group IV, claims 13-14, 18 and 20, drawn to a salt of the polymorphic form (form III) of (1R, 2R, 3S, 5S)-2-methoxymethyl-3-(3,4-dichlorophenyl)-8-azabicyclo[3.2.1]octane L-tartrate anydrate; and

Group V, claims 13-14, 19 and 20 drawn to a salt of the polymorphic form (form IV) of (1R, 2R, 3S, 5S)-2-methoxymethyl-3-(3,4-dichlorophenyl)-8-azabicyclo[3.2.1]octane L-tartrate anydrate; and

Group VI, claims 22-23 drawn to a method for treatment, prevention or alleviation of a disease or disorder by administering a salt of (1R, 2R, 3S, 5S)-2-methoxymethyl-3-(3,4-dichlorophenyl)-8-azabicyclo[3.2.1]octane L-tartrate monohydrate; and

Group VII, claims 22-23 drawn to a method for treatment, prevention or alleviation of a disease or disorder by administering a salt of an anhydrous form of (1R, 2R, 3S, 5S)-2-methoxymethyl-3-(3,4-dichlorophenyl)-8-azabicyclo[3.2.1]octane L-tartrate; and

Group VIII, claims 22-23 drawn to a method or treatment, prevention or alleviation of a disease or disorder by administering a salt of the polymorphic form (form II) of (1R, 2R, 3S, 5S)-2-methoxymethyl-3-(3,4-dichlorophenyl)-8-azabicyclo[3.2.1]octane L-anhydrate; and

Group IX, claims 22-23 drawn to a method for treatment, prevention or alleviation of a disease or disorder by administering a salt of the polymorphic form (form III) of (1R, 2R, 3S, 5S)-2-methoxymethyl-3-(3,4-dichlorophenyl)-8-azabicyclo[3.2.1]octane L-anhydrate; and

Group X, claims 22-23 drawn to a method for treatment, prevention or alleviation of a disease or disorder by administering a salt of the polymorphic form (form IV) of (1R, 2R, 3S, 5S)-2-methoxymethyl-3-(3,4-dichlorophenyl)-8-azabicyclo[3.2.1]octane L-anhydrate.

For the purpose of examination of the present application, Applicants elect, without traverse, Group I, Claims 13-15 and 20. Applicants further request rejoinder of Group VI, i.e., methods of using the compounds of elected Group I.

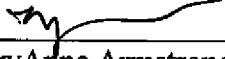
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact MaryAnne Armstrong, Ph.D., Registration No 40,069 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: June 19, 2008

Respectfully submitted,

By 
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